

WIGGIN & DANA LLP
 450 Lexington Avenue
 Suite 3800
 New York, NY 10017-3914
 212-490-1700
 Joseph G. Grasso
 Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

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| NEW STREAM COMMERCIAL FINANCE, LLC, | : | |
| | : | |
| | : | |
| Plaintiff, | : | Civ. No. 08 CV 3171 (AKH) |
| | : | (In Admiralty) |
| | : | |
| -against- | : | |
| | : | |
| STAR OF AMERICA, O.N. 973452, her engines, tackle, gear and appurtenances, etc., <i>in rem</i> ; MAJESTIC STAR, O.N. 1100715, her engines, tackle, gear and appurtenances, etc., <i>in rem</i> ; Majestic Voyages, Inc., <i>in personam</i> ; and Majestic Star, Inc., <i>in personam</i> , | : | PLAINTIFF NEW STREAM COMMERCIAL FINANCE, LLC'S MOTION FOR INTERLOCUTORY SALE OF IN REM DEFENDANTS STAR OF AMERICA, O.N. 973452, AND MAJESTIC STAR, O.N. 1100715 |
| | : | |
| Defendants | : | |

**PLAINTIFF NEW STREAM COMMERCIAL FINANCE, LLC'S MOTION FOR
 INTERLOCUTORY SALE OF IN REM DEFENDANTS STAR OF AMERICA, O.N.
973452, AND MAJESTIC STAR, O.N. 1100715**

COMES NOW Plaintiff NEW STREAM COMMERCIAL FINANCE, LLC ("Plaintiff"), by and through its attorneys Wiggin & Dana LLP, and petitions this Honorable Court for an Order authorizing the immediate sale of *In Rem* Defendants STAR OF AMERICA, O.N. 973452, and MAJESTIC STAR, O.N. 1100715, via auction conducted by the United States Marshal, Southern District of New York, in accordance with Local Admiralty Rule C.2.

This Motion is brought pursuant to Federal Rules of Civil Procedure, Supplemental Rule for Certain Admiralty and Maritime Claims E(9)(b), and Local Rules of Practice for the United States District Court for the Southern District of New York, Admiralty Rule C.2.

This Motion is based upon the Memorandum in Support of Motion, Affidavit of Steven Sanicola and Exhibits A & B thereto, Affidavit of Craig W. Wilson, and the record and files herein.

DATED: New York, New York, May 6, 2008

WIGGIN & DANA LLP

/s/ JOSEPH G. GRASSO
JOSEPH G. GRASSO
450 Lexington Avenue
Suite 3800
New York, NY 10017-3914
212-490-1700

Attorneys for Plaintiff NEW STREAM
COMMERCIAL FINANCE, LLC

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 450 Lexington Avenue
 Suite 3800
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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

NEW STREAM COMMERCIAL FINANCE,
 LLC,

: Civ. No. 08 CV 3171 (AKH)
 : (In Admiralty)
 :
 :
 : NOTICE OF HEARING;
 : PLAINTIFF NEW STREAM
 : COMMERCIAL FINANCE, LLC'S
 : MOTION FOR INTERLOCUTORY
 : SALE OF IN REM DEFENDANTS
 : STAR OF AMERICA, O.N. 973452,
 : AND MAJESTIC STAR, O.N.
 : 1100715; MEMORANDUM IN
 : SUPPORT OF MOTION;
 : AFFIDAVIT OF STEVEN
 : SANICOLA AND EXHIBITS
 : A & B THERETO;
 : AFFIDAVIT OF CRAIG W.
 : WILSON; CERTIFICATE OF
 : SERVICE

Plaintiff,

-against-

STAR OF AMERICA, O.N. 973452,
 her engines, tackle, gear and appurtenances, etc.,
in rem; MAJESTIC STAR, O.N. 1100715, her
 engines, tackle, gear an appurtenances, etc.,
in rem; Majestic Voyages, Inc., *in personam*;
 and Majestic Star, Inc., *in personam*,

Defendants

HEARING

DATE: _____

TIME: _____

JUDGE _____

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that Plaintiff NEW STREAM COMMERCIAL FINANCE, LLC'S ("Plaintiff") MOTION FOR INTERLOCUTORY SALE OF IN REM DEFENDANTS STAR OF AMERICA, O.N. 973452, AND MAJESTIC STAR, O.N. 1100715 shall come before the Honorable Alvin K. Hellerstein, Judge of the above entitled Court, in his courtroom in the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, on _____, at _____, or as soon thereafter as counsel may be heard.

DATED: New York, New York, May 6, 2008

WIGGIN & DANA LLP

/s/ JOSEPH G. GRASSP
JOSEPH G. GRASSO
450 Lexington Avenue
Suite 3800
New York, NY 10017-3914
212-490-1700

Attorneys for Plaintiff NEW STREAM COMMERCIAL FINANCE, LLC